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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/582,528

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Edwin Wang

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INTEL/BSTZ

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EXAMINER

QURESHI, AFSAR M

ART UNIT

PAPER NUMBER

2472

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/582,528	<b>Applicant(s)</b> WANG ET AL.	
	<b>Examiner</b> AFSAR M. QURESHI	<b>Art Unit</b> 2472	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 and 9 is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 12 is objected to because of the following informalities:

Method claim 12 is dependent upon Apparatus claim 1. It appears to be a typographical error. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim(s) 11, 13-20 is/are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. While the claims recite a series of steps or acts to be performed, a statutory “process” under 35 U.S.C. 101 must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an article or material) to a different state or thing (Reference the May 15, 2008 memorandum issued by Deputy Commissioner for Patent Examining Policy, John J. Love, titled “Clarification of ‘Processes’ under 35 U.S.C. 101”). The instant claims neither transform underlying subject matter nor positively tie to another statutory category that accomplishes the claimed method steps, and therefore do not qualify as a statutory process.

Applicant may overcome the above rejection by including the ‘specific apparatus’ used in “defining a header compression policy...”, in claim 11.

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Applicant please note that claim 12, upon corrections, will be subject to the rejection as above.

3. Claims 21-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Machine readable medium is defined, among other things, as carrier waves, infrared signals, etc., (Specification [0009]) considered as non-statutory subject matter since it is not a physical thing. Applicant may amend the claim by claiming a 'machine readable storage, volatile or non volatile, medium'.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7, 10-15, 18-27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al ("Kim"), US 2005/0100051, in view of Plamondon et al. ("Plamondon"), US 2007/0206621.

Claims 1, 10, 11, 18, 20, 21 and 30.

Kim discloses a compression processing unit (40,40' - fig. 1) for compressing a header of an IP packet (claim 10), when a socket request signal is received from the socket

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option setting unit a policy is set to compress the packet based on the characteristics of the network (IP network), type of packet (IP packet) and user's preference for header compression (see [0013], [0014], [0032] and [0033]).

Kim does not specifically disclose defining the header policy for a packet to be transmitted through the network.

However, Plamondon discloses a policy engine 295 (fig. 2A) to define a header policy for a packet to be transmitted. (see [0078], [0097] and [0098]).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify Kim by utilizing application delivery system/policy engine of Plamondon in order to realize how the application to be delivered to the user and thereby reducing overhead on low-speed serial links as desired by Kim.

Claims 2, 3, 12, 13, 22 and 23. Kim discloses a packet processing unit 30, 30' (fig. 1) that sets an option (see [0029]) of a socket request signal. However, Kim is not very clear whether or not processing unit 30 acts as a filter to select between delivering the packet to the compression logic and to the network and discarding the packet from the compression logic as claimed herein.

However, Plamondon discloses an overflow mechanism and an application unit 200 (fig. 2A), an equivalent to the claimed filter. The overflow mechanism selects between delivering the packets in accordance with the policy agent and discards the packets based upon the set policy (see [0122], [0123]).

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Claims 4, 14, 24. In addition to the rejection discussed above (with respect to claims 2 and 3), Plamondon further discloses that the policy engine generates header compression parameters based upon the policy set for compression (see [0125]).

Claims 5, 19, 25. As discussed in the rejection of claim 1 above, Plamondon discloses policy engine 295 defines header policy based on, among other things, the characteristics of the network such as network type, bandwidth or prior knowledge of header compression (see [0097], [0098]).

Claims 6, 7, 15, 26 and 27. Kim disclose decompression unit (see fig. 1) for identifying header compression method information by analyzing the transmission header of the packet and releasing the header compression of the packet according to the identified compression method information, in the case that the packet is received from other terminal through the network.

As discussed above, Kim does not disclose a policy engine to define header policy. However, Plamondon discloses a policy engine defining header policy (see rejection of claim 1 above) for a packet based upon user's preference or predefined rules on header decompression (also see [0055]).

Examiner notes that in setting a header policy for another packet can be realized by one of skill in the art in a manner similar to one discussed above based on characteristics of the network or user's preference etc.,

***Allowable Subject Matter***

5. Claims 8 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 16, 17, 28 and 29, have the same allowable subject matter as in claims 8 and 9, however these claims are rejected under 35 USC 101.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bachmann et al. (US 2007/0110009), Kanchei Loa (US 6,314,095).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AFSAR M. QURESHI whose telephone number is (571)272-3178.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272 7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/5/2009

/Afsar M Qureshi/  
Primary Examiner  
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